

For whoever has a heart: A Tale of a tormenting experience

I am Muzammil Hussain Simon. Age 33 years. Prisoner No. 5631/A. I am a death row inmate. Today, on July 30, 2024, I am writing from a solitary cell in the high-security central jail located in Kashimpur, Gazipur.

I studied at Mymensingh Zilla School, Ananda Mohan College, and the Department of Computer Science and Engineering at Shahjalal University of Science and Technology. Professionally, I was a computer engineer. My wife studied in the Marketing Department of Dhaka University. We have a daughter (9) and a son (8). My father was a flight sergeant in the Bangladesh Air Force. My mother is a housewife.

Additionally, I am a Muslim. Specifically, after the hypocrisy of Maya's former teacher Dr. Muhammad Zafar Iqbal and his ultra-secular followers was revealed, I became actively opposed to them. This reactionary group unjustly labeled me at different times as a member of Shibir, Hizb ut-Tahrir, and finally a terrorist. As I was a preacher, activist, and writer who believed in the revival of Islam, Hasina's goons were set upon me.

As a result, after some time, as a father, son, husband, brother, Muslim, or human being who had existed for a long time, Hasina's accomplice DB (later CTTC was formed under the leadership of a part of DB) gave me a new identity. This identity rendered all my other identities irrelevant and non-existent.

On the afternoon of September 30, 2017, a team of 20-25 people, under the direction of Monirul Islam from Gopalganj (then head of CTTC, now head of SB), took me from my house in Bawnia, Dhaka, in front of my wife and children. When my family tried to file a General Diary (GD), they were informed that CTTC had prohibited it. This ensured the path to my enforced disappearance for as long as they wished. However, due to the urgency of securing BPM and PPM medals in the upcoming Police Week, they kept me disappeared for "only" 48 days to expedite their work.

On November 19, 2017, I was presented to the nation with a new identity and adorned with many aliases. This new identity absorbed all my other identities like blotting paper. It was claimed that I was an active member of a secret and banned organization and a key participant in the murder case of an anti-Islamic blogger!

I became a non-human, akin to the Homo Sacer of the Dark Ages in Europe, whose only tasks were to eat, sleep, and breathe. It has been nearly seven years now—perhaps it will continue longer—Hasina's oppressive prison administration has provided minimal food, three blankets, some clothes, and the 'great opportunity' to breathe. All other rights have been denied. Not only are Islamic books prohibited, but even general history, literature, and political books are not allowed. Letters to family, lawyers, or human rights activists are not permitted, which was a very common practice even during British and Pakistani rule!

Then, in 2021, Hasina's kangaroo court – the Anti-Terrorism Tribunal judge Mujibur Rahman – despite the lack of any evidence, and despite the contradictions and inconsistencies in the confessions forcibly obtained through abduction and torture from the accused, handed down death sentences indiscriminately, completing the process of dehumanizing me.

I unequivocally and clearly state that I am innocent. I have never been an active or inactive member of any organization (public or secret). Neither directly nor indirectly. My confession was obtained under extreme physical and mental pressure.

I intended to send this writing outside after the change of Hasina's government or just before the execution of the death sentence. This seemed quite distant as Hasina enjoyed absolute loyalty from state institutions, and after the court's death sentence, it usually takes 8-10 years to be executed following the lengthy process of the High Court, Appellate Division, and review.

However, like any person with a basic understanding of history and politics, I strongly believe that Hasina's downfall is only a matter of time. Hasina's obedient prison administration is extremely worried. They have stopped all normal needs, including newspapers and family visits. The unprecedented unrest in Hasina's loyal institutions and the news on the radio undoubtedly indicate Hasina's imminent downfall. In '69, the death of just 60-65 people led to the fall of Ayub's regime. Therefore, I believe that the nation will rise from the sacrifice of hundreds of lives already given. The era of dictatorship and oppression is coming to an end, and the country and nation are at a crossroads. This moment reminds me of the time of the 1969 mass uprising when Asaduzzaman was killed. Poet Santosh Gupta wrote his historic lines:

"We will not recite the funeral prayer for death, Even the sleep of the grave awakens— The demand for life is so immense today!"

In such a situation, I feel it is right not to remain silent. I don't see much opportunity to think about my fate later! I felt it necessary to write about some issues. I pray that Allah overturns the tyrant's throne and restores justice on earth. Amen.

It is worth mentioning that, having been imprisoned for the past seven years, reading newspapers and listening to the statements of political activists and other prisoners who came to the prison were the means of knowing the political and socio-economic realities of the country. Previously, it was intended to send this writing to Mr. Nurul Kabir, the editor of the 'New Age' newspaper, alongside an acceptable, courageous, and self-respecting scholar and preacher among the Islamists. During the military rule after 1/11 and later during Hasina's era, Nurul Kabir, Farhad Mazhar, Mahmudur Rahman, and (somewhat later) the late Dr. Pias Karim deeply influenced me as ideological figures during my late adolescence and early youth. Although ideological differences developed later, Mr. Nurul Kabir has always been and still is valued as a unique individual. In 2021, I took the initiative to write a letter to him from prison, and as usual, the prison administration refrained from approving it.

However, thoughtful individuals among the Islamists and secularists (whom I mainly met, became close to, and conversed with in prison) have often advised me to convey my situation to Pinaki Bhattacharya, editor of Netra News, Tasneem Khalil, and investigative journalist Julfikar Naine Sayer Sami. And success comes only from Allah. It was natural to turn to the

media. But expecting the Goebbelsian media, which licks the boots of the Awami League, to achieve honesty, objectivity, and courage in the near future seems like a utopian thought. Allah knows best.

I have written a brief personal anecdote that I feel people need to know. Additionally, I have written a few words briefly for thoughtful individuals among the Islamists, liberals, and Marxists. May Allah make it easy for me. Then—

It is well understood by all conscious people how and by what process inhuman torture is carried out if someone is abducted by DB, CTTC, RAB, or DGFI. Besides, discussing personal problems or sorrows extensively in public seems somewhat embarrassing and crude. So, I am trying to say as little as necessary and to briefly mention the special treatment received by non-humans.

After the arrest, due to the unfinished construction work of the CTTC building under the DB office, I was kept in one place (their term is ‘team’) with my hands, feet, and eyes tied for the first month. Later, with the inauguration, I was transferred to the secure cell located on the ground floor of the CTTC building. Among the various methods of torture, the most applied one was severe beating on the soles of the feet. I later heard that due to the intense connection between the soles of the feet and the brain, this is used more on their ‘militant’ prisoners.

After keeping me like this for about a month without any interrogation or explanation, they transferred me to a new cell and asked me to give a confessional statement (under section 164) implicating myself in the cases of the discussed blogger murders.

In a state of astonishment, I asked why exactly I would behave like a suicidal person. Or do they think I am mentally deranged? And what is the logic behind such a demand?

Then ADC Saiful (later became DC of CTTC and later SP of a district) informed that almost everyone involved in the discussed case has been included under Hasina’s declared ‘zero tolerance’ policy; that is, they have been killed (one of them being Mukul Rana, who was killed in a crossfire in May/June 2016, and possibly only his case was brought to the media. The rest of the killers’ cases were kept secret). Therefore, to gain praise domestically and internationally and to avoid accountability, it is necessary to settle the cases. Since there are no real accused, a confessional statement is inevitably required!

When I rejected their proposal, the level of torture was increased. Then, at one point in mid-November, they brought in my sick father. They informed me that my father would be detained until I fully complied with their demand for a confessional statement under section 164. Every son loves his father, there’s nothing special to say about that. I will just say that my father used to tell me, “Son! Everyone gives birth to a son, but I have given birth to a father.”

Subsequently, under the severe physical and mental pressure, I agreed to their proposal. Confessional statements were taken in three discussed cases (Anti-Terrorism Tribunal Case No. 1/19, 26/19, and 63/19 – Dipan murder case, Avijit murder case, and Julhas-Tonoy murder case).

To my astonishment, I noticed that armed police from CTTC were present in the magistrate's room to take these statements, and the magistrate wrote them down by looking at the drafts provided by the police (legally known as statements given to the police under section 161). After writing, my 'hard-earned' signature would complete the process.

Besides extracting the confessional statement, I had to admit these false statements to two officials from the American Embassy (white Anglo-Saxon). Only then was my father released. Additionally, both my father and I were threatened that if we spoke about this, my younger brother, the only earning member of the family, would be taken away.

For this reason, later in the judicial process, during the defense statement under section 342, I kept silent about the extraction of the confessional statement under section 164. This is how the process of dehumanizing me was completed with the combined efforts of DB officers and magistrates.

Later, 5-6 more people were similarly made scapegoats in joint police-magistrate productions around the same time. I cannot speak about the reality of others, but these three discussed cases were settled solely based on the 'confessional statements' given by these abducted and tortured youths. To know the real truth, it is necessary to cancel the verdicts and send the cases for reinvestigation under the direction of the higher court.

Now, let's come to the farce of the judicial process, where the judiciary is considered the last refuge of people! None of the plaintiffs or witnesses in the three cases testified against the accused. There is no other evidence either. Yet, an accused cannot be sentenced solely based on a confessional statement. At least one corroborative witness/evidence is necessary for sentencing.

Nevertheless, Hasina's kangaroo court – the Anti-Terrorism Tribunal – sentenced the accused to death in all three cases solely based on the confessional statements given by the accused (or rather the scripts written by DB). Even more interesting is that there are numerous inconsistencies and contradictions within the confessional statements themselves. Therefore, even if the minimum attempt for justice was made by considering only section 164 (confessional statement), the judge had no alternative but to acquit.

Another surprising aspect is that I was sentenced under section 6(1)(a)(i) of the Anti-Terrorism Act (2013) for being directly involved in the murder, whereas even a person with basic literacy could see that, even if all the allegations against me were true, there was no scope to accuse me under section 6(1)(a)(i). Rather, the charge should have been brought under section 6(1)(a)(ii), which does not have the provision for the death penalty; at most, I would have been sentenced to 14 years.

The discussion has gone on a bit too long. The main purpose was to highlight the multi-layered, shameless, and blatant oppression created by the Hasina regime's vile circle of police, magistrates, and judges.

The misconduct of the police-magistrate group towards political opponents in the judicial process is not an obscure matter. As I mentioned earlier, the judiciary is considered the last

resort for all citizens. When it too becomes corrupt, those labeled as 'terrorists' become the most discriminated against.

Bangladesh's law provides its citizens with the following opportunities for justice:

- **Innocent until proven guilty: The accused person is innocent until proven guilty.**
- **Bail is the rule, imprisonment is the exception: Bail is the norm, imprisonment is the exception.**
- **Accused must be convicted when proven guilty beyond a shadow of a doubt: The accused can only be punished when the charges are proven beyond a shadow of a doubt.**

However, as soon as someone is labeled a terrorist and a case is filed by the DB or CTTC, media outlets like Prothom Alo, The Daily Star, Samakal, Janakantha, Jugantor, and others engage in character assassination. These despicable journalists even exaggerate beyond the police's script, acting "more royal than the king!" Thus, for those labeled as terrorists, the media and judiciary's adopted principle is "guilty until proven innocent."

Additionally, since the Anti-Terrorism Act has been passed as non-bailable, the principle for those labeled as terrorists is "**imprisonment is desirable, bail is the exception.**"

There is no need to prove beyond a shadow of a doubt; even the suspicion of the lowest-ranking police constable is enough for someone labeled as a terrorist to be punished. If the case is high-profile, even a mere claim is sufficient!

One could say a lot more on this topic. However, anyone with a general understanding of Hasina's brutality can realize that there is no fear of accountability for destroying lives; rather, there is more opportunity for praise. Those labeled as terrorists can be victims of oppression and discrimination, especially when the torture chambers on the ground floor and seventh floor of the CTTC building under the DB office (where the identities of the disappeared are marked as non-entry) are still hidden from public view.

Even after Hasina's fall, the victims of torture might not speak out, as America directly supports this. The same America, which is engrossed in marketing human rights in its ideological colonialism worldwide, pounces on Muslims like a ferocious hyena.

Therefore, the CTTC's stance is, "Terrorism is a very important issue for us because it is the biggest area of direct engagement with America."

Hence, it is urgent that the High Court orders a reinvestigation of these three farcical cases (the Dipan, Avijit, and Julhas-Tonoy murder cases filed under the Anti-Terrorism Act).

This is the narrative of a person who, almost a decade ago, actively opposed Hasina's tyrannical regime through words and writings, determined to stay true to his ideals and personality. Hasina's state machinery has humiliated, tortured, and unjustly made him a target of judicial killing.

Surely, I am not the only or the first victim of Hasina's brutality. However, I am likely among the very few victims of discrimination for whom expressing sympathy is considered a separate crime.

In conclusion, as the anti-discrimination movement matures, the future leadership will play an effective role in eliminating discrimination against the most discriminated individuals on earth. They will surely take effective steps in this regard, making decisions in the light of moral integrity, self-respect, justice, and equality. I hope they will not be influenced by the intentions or pressures of Western imperialist America or extremist Hindu nationalist India.

And the truth is, whatever Allah wills happens. Surely, the day is not far when the oppressor will find refuge in a lonely grave!

Finally, addressing the conscientious people of every class and profession in Bangladesh, especially the Islamists, liberals, or Marxist intellectuals and leaders, I conclude by quoting a short poem by Ralph Chaplin:

Mourn not the dead that in the cool earth lie--

Dust unto dust--

The calm, sweet earth that mothers all who die

As all men must;

Mourn not your captive comrades who must dwell--

Too strong to strive--

Within each steel-bound coffin of a cell,

Buried alive;

But rather mourn the apathetic throng--

The cowed and the meek--

Who see the world's great anguish and its wrong

And dare not speak!